

**Remarks/Arguments**

Claim 1 remains in the application and has been amended to recite that the skin layer is deformable, the types of polymers suitable for such deformable skin layer, and that the skin surface contacted by the laser beam creates a marking to indicate where a force may be applied to actuate a switch. Support may be found at page 6, lines 5-9, page 10, lines 4-12 and page 15, lines 12-19 of the Application.

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Filion, et al. (United States Patent No. 5,952,630) in view of Filion, et al. (United States Patent No. 5,448,028) and in further view of Spanjer (United States Patent No. 4,654,290).

In view of the amendments herein it is believed that the outstanding rejections have been overcome. Applicants note the following in support thereof.

Filion, et al. ('630), commonly assigned to the assignee of the present invention, is directed at a vehicle interior trim panel electrical switch assembly comprising a door armrest including a switch panel portion wherein said switch panel portion further comprises a substrate, a foam layer bonded to said substrate and a flexible skin having an underside surface bonded to said foam layer. A plurality of low profile force sensitive variable resistance sensors are embedded in the foam layer. Dependent claim 4 is directed at **indicia printed on the outer surface of the flexible skin** in direct overlying relationship to the afore-referenced resistance sensors.

It is believed that the Examiner has recognized that Filion et al ('630) does not teach a process of marking an outer skin layer and only teaches a printing process. See the Office Action of November 2, 2004 at page 3. It is also believed that the Examiner has recognized that Filion

'028 similarly is directed at a printing process. See the Office Action of November 2, 2004 at page 4.

Neither Filion, et al. ('630) nor Filion, et al. ('028) teaches or suggests that a laser may be used to change the color of a deformable skin. Certainly, printing as disclosed by Filion, et al. is a less permanent marking technique, since it most often is accompanied by a protective clear coating (see column 3, lines 52-61 of the '028 and column 6, lines 11-16 of '630). In that sense it is believed that Filion teaches away from the use of laser on a deformable skin.

That much being the case, Filion, et al. '630 and/or Filion, et al. '028 do not teach or suggest anything regarding the advantages, desirability, convenience or even hint at the opportunity to successfully project a laser beam on to an outer deformable skin surface of the indicated polymers in an area that overlies a switch (embedded in foam). It is therefore believed and respectfully submitted that one of ordinary skill in the art, considering Filion, et al. would not think, that given that Filion, et al. discloses **printing**, one could abandon such direction afforded by this reference, and do away with a step of printing, in favor of the use of a laser, as recited in the claims herein.

The Examiner previously recognized the above arguments of Applicants, but nonetheless pointed out that the rejection was not based solely on Filion. Applicants understand the Examiner's position. However, the point still remains that if Filion does not even hint at the desirability to project a laser beam on to an outer deformable skin, it stands to reason that the motivation to combine references to do so is arguably non-existent. Applicants would respectfully request the Examiner to therefore reconsider the leap from Filion to Spanjer, particular in the sense that Filion was directed to automotive trim products, and Spanjer to non-

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deformable electronic devices, and the claim as amended recites deformable skin material and makes use of specified polymers suitable for such deformable skin manufacture.

More specifically considered, Spanjer ('290) relies upon the use of filler material. The filler materials are silicon oxide, aluminum oxide or mixtures thereof. Col. 3, lines 55-65. Last time Applicants pointed out the above to the Examiner, the Examiner responded and stated that the claim was open-ended with the transition phrase "comprising." Claim 1 has been amended to use the transition phrase "consisting essentially of" which with respect to the selected polymers would exclude the addition of the high levels of filler employed by Spanjer. On that note, Spanjer teaches the use of quartz filler making up 65-67% by weight of what he describes as his "markable compound." Col. 5, lines 1-3. Thus, it is hopefully considered satisfactory to the Examiner that Applicants have now amended the claims to exclude the compositions of Spanjer's covering materials which make use of the addition of high levels of fillers and other ingredients to make them "laser-markable." See, col, 4, lines 52-60 of Spanjer..

In sum, Filion ('630, '028) teaches printing on a flexible skin surface, not laser marking thereof. The Examiner relied upon Spanjer for the deficiencies of Filion '630 and '028. Applicants have respectfully argued against this combination. In addition, Spanjer ('290) is entirely and comprehensively directed at laser marking electronic devices formed of epoxy, silicone and polyimide resin, formed by injection molding, transfer molding or potting wherein a filler is present. Spanjer requires high levels of fillers. Applicants have specified the polymers which distinguish over Spanjer, and have amended the claims so that they no longer would include the high level of filler compositions of Spanjer and Spanjer's rather complex recipes for making a "laser-markable" material. See again, Spanjer at col. 4, lines 52-60.

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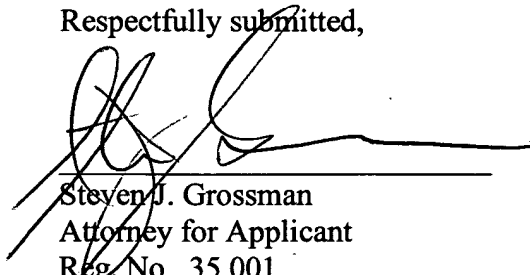
Accordingly, it is respectfully submitted that the three cited references, United States Patent Nos. 5,952,630; 5,448,028 and 4,654,290, separately or in combination, do not teach or suggest the claims as amended herein.

In consideration of the amendments to the claim and the remarks hereinabove, Applicant respectfully submits that all claims currently pending in the application are believed to be in condition for allowance. Re-examination and reconsideration is requested. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,



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#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **April 29, 2005**, at Manchester, New Hampshire.

By:   
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